means for [actively selecting one of said telephony environments upon receipt of a selection message from said applications programs] automatically configuring said server to select said message structure set of said selected one environment upon receipt of a selection message of said one environment from said application.

REMARKS

All the pending claims are rejected by the Examiner under 35 USC§ 103(a) over Flisik (U.S. Patent No. 5,414,762) in view of Farris (U.S. Patent No. 6,038,227) and Bateman (U.S. Patent No. 5,884,032). The applicants have cancelled claims 13 - 20 and further amended independent claims 1, 6 and 8, and respectfully traverse the rejections based on the amended claims.

The applicants believe a brief explanation of the present invention will be helpful in the examination of the application. The invention teaches a novel technology in a situation where at least one telephony application communicates over multiple telephony environments. To avoid rewriting the telephony application to work with different telephony environments, a translation layer is provided at the computer telephony server interfacing between the application and the multiple telephony environments. Thus, the computer telephony server is capable of communicating with the telephony application using a common standardized message structure set, as well as communicating with the telephony environments with the message structure set specific to each of the environments. The application layer translates between the common standardized message structure set and the specific message structure set of each environment.

In order to interface between the telephony application and a specific telephony environment, the computer telephony server shall be configured so that the message structure set suitable to the specific telephony environment will be selected for the translation layer to work with. As a novel feature of the present invention, the selection of the specific telephony environment is carried out by the telephony application, and the computer telephony server is automatically configured upon receipt of the selection message from the telephony application as to which specific environment is desired to be communicated over. This is useful when, for example, the telephony application establishes a call between the user and a remote party (see page 5, line 15 - page 6, line 9 of the original specification).

The applicants have further amended the independent claims 1 and 8 for explicitly including these distinguishing features. In particular, the amended claims 1 and 8 have included the features that said application includes means for selecting one of plural telephony environments, and that the telephony server comprises means for being automatically configured to select said message structure set of said selected one environment upon receipt of a selection message of said one environment from said application. These features cannot be found in either Flisik, Farris or Bateman, nor can they result combination of the references.

Flisik teaches a technique in which a computer terminal (telephony application) is capable of communicating over PABX of different vendors without using the vendor-specific protocols. The server (functionality command converter) is configurable to translate the functionality command from the computer terminal and the status messages from the PABX between the standard protocol and the vendor-specific protocols. However, Flisik never teaches that selection of a specific PABX environment is carried out by the computer terminal or the

configuration of the server to work with the specific PABX environment is activated by the selection of the computer terminal.

Farris discloses a technology which enables a subscriber to be connected to different subscribed services through a CEV (controlled environmental vault) switch, and is remote from the field of the present invention which relates to a technique in avoiding rewriting the telephony applications when communicating over plural telephony environments. In Farris, CEV switch simply connects the subscriber to the subscribed services upon a selection of the user (not by an software application). No application program at the user end is involved in the selection, and therefore there is no such situation wherein a software application needs to communicate with different environments with different protocols or message structure sets. Farris even does not relate to different telephony environments. The applicants do not believe the disclosure in Farris contributes anything to the present invention.

Bateman also does not discuss anything about the problems resulting from the difference in protocol and message set in the communications in a computer telephony environment, and the above-identified distinguishing features can not be found anywhere in Bateman.

Therefore, the applicants believe that claims 1 and 8 are not obvious over Flisik, Farris and Bateman, and are thus patentable. Similarly, amended claim 6, in which the telephony application is implemented as a personal computer, is also patentable for the distinguishing features that said personal computer further includes means for selecting one of a plurality of telephony environments and that said server being automatically configurable to select a protocol and message set of said selected one environment upon receipt of a selection message of said one environment from said personal computer.

At least for the same reasons, their respective dependent claims 3-5, 7 and 9-10 are also patentable.

Therefore, the applicants believe the present invention as defined in the amended claims is patentable. Reconsideration is here respectfully requested in view of the amended claims and the above remarks. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.
900 Route 9 North
Woodbridge, New Jersey 07095
Telephone (732) 634-7634

DATED: December 12, 2001

Jeffrey I. Kaplan
Reg. No. 34,356

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Box RCE, Commissioner for Patents, Washington, D.C. 20231 on December 12, 2001.

Dated December 12, 2001

Signed Paula M. Halsey

Print Name Paula M. Halsey